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DE RUEHNR #5099/01 3331441
ZNY CCCCC ZZH
P 291441Z NOV 06
FM AMEMBASSY NAIROBI
TO RUEHC/SECSTATE WASHDC PRIORITY 5803
INFO RUEHDS/AMEMBASSY ADDIS ABABA PRIORITY 8963
RUEHDR/AMEMBASSY DAR ES SALAAM PRIORITY 4990
RUEHDJ/AMEMBASSY DJIBOUTI PRIORITY 4466
RUEHKM/AMEMBASSY KAMPALA PRIORITY 1716
RUEHLO/AMEMBASSY LONDON PRIORITY 2074
RUEHFR/AMEMBASSY PARIS PRIORITY 2043
RHMFISS/CJTF HOA PRIORITY
RHMFISS/CDR USCENTCOM MACDILL AFB FL PRIORITY

C O N F I D E N T I A L NAIROBI 005099

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E.O. 12958: DECL: 11/28/2026

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SUBJECT: WHEELING AND DEALING AS KENYA'S OLDEST PARTY SPLITS

REF: NAIROBI 3270

Classified By: D/Political Counselor Craig White for reasons 1.4 (b,d)

¶1. (C) SUMMARY: The brewing split in Kenya's KANU party boiled over on November 28 when party leaders elected from a rival faction were officially registered, ousting Chairman Uhuru Kenyatta from the party's top seat. The registration of Biwott as Chairman leaves Kenyatta legally no longer Leader of the Official Opposition, although the majority of KANU supporters do not line up with Biwott, a symbol of everything that was wrong with the Moi years. Former President Moi's own hand in the KANU power struggle was heavy as he helps deliver a divided opposition to President Kibaki and his supporters for the next election. END SUMMARY.

KANU DIVIDED: UHURU VS. MOI'S BOYS

¶2. (SBU) On November 28, the Registrar of Societies accepted the names of KANU party officials elected during a November 25-26 delegates conference in Mombasa held by one of Kenya's most notoriously corrupt old hacks, Nicholas Biwott. In registering himself and his cronies as the party's leaders, Biwott has, on paper at least, taken over Kenya's oldest political party from Uhuru Kenyatta and his supporters. In a move fueled by Moi's fierce opposition to KANU's participation in the Orange Democratic Movement (ODM, now ODM-K following its registration as a political party), KANU supporters split into two factions following the November 2005 constitutional referendum: those who, like Kenyatta, favored entering a coalition in the 2007 general election, and those who allied with Moi and Biwott insisting KANU should go it alone. The fissure widened when Kenyatta officially declared his intention to bring KANU into ODM-K as a "corporate member" following the party's stinging defeat in the July by-elections (reftel).

¶3. (C) The KANU coup is both a challenge and an opportunity for Kenyatta. He told PolAssistant he would not take his case to the courts (yet -- a court proceeding is necessary to challenge the Biwott registration), but instead fight his battle publicly. Kenyatta enjoys strong support from KANU party members who backed him at a November 27 Nairobi National Delegates' Conference. In the past it has not been Kenyatta's style to conduct his political business in the streets and at rallies. Kenyatta may ultimately benefit from this setback as an opportunity to raise his national image, improving his presidential prospects. On November 28,

Kenyatta was calm, noting that he and his colleagues still have their registration certificates.

LET'S MAKE A DEAL

14. (SBU) Long the godfather of KANU, Moi's influence is fading within his party, but he remains indisputably well connected -- including to President Kibaki. Days before the Biwott KANU conference, Moi had an hour long meeting with Kibaki at State House according to a report in the Daily Nation on November 23. In addition, it is rumored that Internal Security Minister and Standard Media Raid mastermind John Michuki had a hand in the expedited and questionable registration of the Biwott slate of officers. Under KANU's constitution, Biwott had no authority to call the rival delegates' meeting in Mombasa November 25-26. Given the flimsy basis for Biwott's "election", the registrar should have summoned Kenyatta and sought an explanation for the rival lists of officers. The Biwott officers were registered despite a written letter of protest from the Kenyatta group.

COMMENT: OLD DOGS, OLD TRICKS

15. (C) Moi is not supporting Biwott simply because they are old friends. More likely, he's made a deal with Kibaki: in return for ongoing protection from corruption investigations, and perhaps other considerations, Moi delivers a split opposition, helping Kibaki achieve another win in 2007. Corrupt to the core (he was the first Kenyan to be banned from entering the U.S.), Biwott in any party leadership position is unwelcome; Biwott supported by the government is still more unsettling. Thankfully, Kenyans generally have a low opinion of Biwott as a reminder of everything that was wrong with the 24 Moi years. While Kenyatta may eventually benefit from the visibility of a national campaign to retain control of KANU, the very public opposition split is a coup for Kibaki -- for now. END COMMENT.
RANNEBERGER